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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/677,062	09/30/2003	Tcro Kivincn	SSH-004	8088
26717 7590 07/26/2007 RONALD CRAIG FISH, A LAW CORPORATION PO BOX 820 LOS GATOS, CA 95032			EXAMINER JUNG, DAVID YIUK	
			ART UNIT 2134	PAPER NUMBER
			MAIL DATE 07/26/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/677,062

Applicant(s)

KIVINEN ET AL.

Examiner

David Y. Jung

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

CLAIMS PRESENTED

Claims 1-15 are presented.

Response to Arguments

In the arguments, Applicant has clarified the meaning of "partially consecutive." Thus, the claims are now examined in accordance with the meaning provided by Applicant. See the rejection under 35 USC 102.

CLAIM REJECTIONS

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The claimed inventions of claims 1-15 are directed to non-statutory subject matter. The claims recite perfunctory recitations of computer program product, computer program code means, certificate, etc. while otherwise reciting only nonfunctional descriptive material. Whether in computer program product, in computer program code means, in a certificate, on some computer-readable medium, in a computer or on an electromagnetic carrier signal, this situation recites no more than perfunctory physical limitations. When nonfunctional descriptive material is recorded on some computer-readable medium, in a computer or on an electromagnetic carrier signal, it is not statutory since no requisite functionality is present to satisfy the practical application requirement. Merely claiming nonfunctional descriptive material, i.e., abstract ideas,

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stored on a computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See *Diehr*, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an algorithm in *Benson* were unpatentable as abstract ideas because “[t]he sole practical application of the algorithm was in connection with the programming of a general purpose computer.”). Such a result would exalt form over substance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-15 are rejected under 35 U.S.C. 102(a) as being anticipated by

Applicant's admissions against prior art (“APA”).

I. The general art.

The Cisco reference

(http://www.cisco.com/application/pdf/en/us/guest/products/ps6664/c1650/cdccont_0900aecd80313df4.pdf) is cited not as prior art, but as a general explanation of the art.

Broadly speaking, Cisco confirms pages 1-5 of the specification of this patent

application. The description of prior art noted at pages 1-5 is accurate.

II. The novelty of claims 1-15; the limitations that were explicitly admitted by Applicant as prior art.

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Of the 11 pages of specification (non-claims part), the first 5 pages were devoted to the discussion of the prior art. Among others, at page 5, the specification clearly notes that Applicant considers the advance production of certificate lists as being novel. See the last three paragraphs of page 5. The other features were not novel.

For examples, consider claims 1, 8, 12. The underlined sections are the limitations that deal with this advance production.

1. Method for managing certificates in a certificate authority in a system having at least a first plurality of certificate authorities, comprising at least the step of generating at least two certificate revocation lists of a first type, each of said at least two certificate revocation lists of a first type not indicating a revoked status of any certificate authority in said at least a first plurality of certificate authorities,

said at least two certificate revocation lists of a first type having at least partially consecutive validity periods,

where the beginning of the validity period of at least one of said at least two certificate revocation lists of a first type is a future point of time.

8. System for a certificate authority having means for generating certificate revocation lists, comprising at least

means for generating sequences of certificate revocation lists of a first type having at least partially consecutive validity periods, the beginning of the validity period of at least one of said revocation lists of a first type being a future point of time relative to the time of generating a sequence of certificate revocation lists,

said certificate revocation lists of a first type indicating no revocation for a predefined group of certificate authorities.

12. Computer program product for a certificate authority having computer code means for generating certificate revocation lists, comprising at least

computer program code means for generating sequences of certificate revocation lists of a first type having at least partially consecutive validity periods, the beginning of the validity period of at least one of said revocation lists of a first type being a future point of time relative to the time of generating a sequence of certificate revocation lists,

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said certificate revocation lists of a first type indicating no revocation for a predefined group of certificate authorities.

The other claims 2-7, 9-11, 13-15 have analogous situations. Again, the "at least partially consecutive validity periods" which refers to the advance production of certificate lists, is the limitation that is not found in the admissions against the prior art as stated in pages 1-5.

III. Comparison and Conclusion

In the arguments, Applicant has made clear that this "partially consecutive validity periods" includes non-overlapping validity periods. Therefore, this is same as the typical certificate revocation list that does not need to be generated long before the validity period. This is prior art.

Thus, the claims must be rejected as being anticipated.

Conclusion

The art made of record and not relied upon is considered pertinent to applicant's disclosure. The art disclosed general background.

Points of Contact

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

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Washington, D.C. 20231

or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Or:

(571) 273-3836 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (571) 272-3836 or Kambiz Zand whose telephone number is (272) 272-3811.

David Jung

A handwritten signature in black ink, consisting of a large loop followed by several smaller, connected loops and a final horizontal stroke.

Patent Examiner

7/20/07